

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-4095 of 2015

Date of Decision: February 09, 2015

Balwant Kaur

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.A.K.Khunger, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of FIR No.280 dated 25.12.2012 under Section 420 IPC registered at Police Station City-I, Abohar, District Fazilka along with all consequent proceedings arising out of the FIR.

Learned counsel for the petitioner argued that no offence is made out in the present case against the petitioner and a false FIR has been registered. The perusal of the FIR shows that Balwant Kaur present petitioner agreed to sell the land on behalf of her husband also on 11.03.2010 by alleging that she is having power of attorney of Rao Varinder Singh, who is settled in United Kingdom and she also received ₹30 lacs as earnest money. As per the FIR, at that time, she was having no power of attorney. The power of attorney has been given to her later on 26.04.2010, which as per the knowledge of the

complainant, is also forged one. There is also allegation that out of the land agreed to sell, about 1.5 killa has been sold to Chhinder Kaur. There are also allegations that loan from the bank has been taken against the land agreed to sell.

In view of the above, at this stage, in no way, it can be held that no offence is made out. Furthermore, after investigation, challan has already been presented in the Court. The finding of fact whether it is a false case, is to be given by the trial Court on the basis of evidence. At this stage, no ground is made out for quashing of the FIR.

Therefore, finding no merit in the present petition, the same is dismissed.

February 09, 2015
Vgulati

(INDERJIT SINGH)
JUDGE